

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In Re:  CYNTHIA M. FARRIOR Debtor,  TOYOTA MOTOR CREDIT CORPRATION Movant,  v.  CYNTHIA M. FARRIOR, and CHANEYA SANDRA FARRIOR, Non-Filing Co- Debtor, and KENNETH E WEST, Trustee, Respondents.	Bankruptcy No. 24-10772-pmm  Chapter 13
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MOTION FOR RELIEF AND CO-DEBTOR RELIEF FROM THE AUTOMATIC STAY

AND NOW COMES, Movant, Toyota Motor Credit Corporation (the “Movant”), by and through its undersigned counsel, Bernstein-Burkley, P.C., and files this Motion for Relief and Co-Debtor Relief from the Automatic Stay (the “Motion”), representing as follows:

THE PARTIES

1. Respondents, Cynthia M. Farrior, (“Debtor”), and Chaneya A. Sandra Farrior are adult individuals with a place of residence located at 6517 N. Smedley Street, Philadelphia, PA 19126.
2. Kenneth E West is the duly appointed Chapter 13 Trustee and is currently acting in such capacity.

JURISDICTION AND VENUE

3. This matter is a core proceeding, and this Court has jurisdiction pursuant to 28 U.S.C. § 1334. Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409. Movant seeks relief pursuant to 11 U.S.C. § 362(d) and FRBP 4001 and 9014.

FACTUAL BACKGROUND

4. On or about March 6, 2024, Debtor filed a voluntary petition for relief pursuant to Chapter 13 of the Bankruptcy Code.

5. On or about January 29, 2021, the Debtors, entered into a Retail Installment Sales Contract (“Note”) with the Movant for the purchase of 2021 Toyota RAV4, VIN: 2T3G1RFV1MC151158 (the “Vehicle”) with the Movant, a true and correct copy of which is attached hereto as **Exhibit A**.

6. Movant has a secured interest in the Vehicle, as evidenced by the Certificate of Title attached hereto as **Exhibit B**.

7. The Note requires monthly payments of \$620.89, which amounts are due on or before the 14<sup>th</sup> of each month.

8. The Debtors have failed to make full monthly payments to Movant from June 2024 to date. The Debtors are \$7,655.11 in post-petition payment arrears.

9. The total balance due on the Note as of June 18, 2025, was \$23,966.11.

10. The J.D. Power value for the 2021 Toyota RAV4, VIN: 2T3G1RFV1MC151158 is \$20,550.00. A true and correct copy of a printout showing that value is attached hereto as **Exhibit C**.

11. Movant is entitled to relief from the automatic stay for cause due to the Debtor’s failure to maintain their contractual obligation with the Movant as described in the Note and making post-petition payments.

12. Code Section 1301 provides for a stay against collection against a co-debtor.

13. Movant is entitled to co-debtor relief pursuant to 11 U.S.C. § 1301(c) because (i) Movant will be irreparably harmed if not able to pursue collection action against the Co-Debtor for any balance of the note not paid and for repossession and sale of the Vehicle.

WHEREFORE, Movant, Toyota Motor Credit Corporation, respectfully requests that this Honorable Court enter an Order, pursuant to 11 U.S.C. § 362(d), granting Movant relief from stay with respect to 2021 Toyota RAV4, VIN: 2T3G1RFV1MC151158.

Respectfully submitted,

BERNSTEIN-BURKLEY, P.C.

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Dated: July 7, 2025